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Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Assistance to refugees, returnees and displaced persons in Africa

Report of the Secretary-General**

Summary

The present report is submitted in compliance with General Assembly resolution 63/149 on assistance to refugees, returnees and displaced persons in Africa. It covers the period 1 January 2008 to 15 June 2009 and updates the information contained in the report of the Secretary-General submitted to the sixty-third session of the Assembly (A/63/321). The current report has been coordinated by the Office of the United Nations High Commissioner for Refugees and draws on information received from the Office for the Coordination of Humanitarian Affairs, the Office of the High Commissioner for Human Rights, the United Nations Children's Fund, the United Nations Development Programme, the United Nations Population Fund, the World Food Programme, the World Health Organization, and the Representative of the Secretary-General on the human rights of internally displaced persons.

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I. Introduction

1. Peace and security remained fragile in a significant part of Africa.[1] This made the delivery of protection and assistance challenging and frequently dangerous, yet vital to meeting the needs of millions of people fleeing insecurity, political unrest and persecution. The increased severity of natural hazards and the fuel and food crises compounded the situation for affected displaced populations already struggling to survive, and strained the budgets of United Nations agencies.

2. In Africa, the number of refugees continued to decline for the eighth consecutive year. By the end of 2008, there were 2.1 million refugees, compared to more than 3.4 million in 2000. The refugee population decreased by 7 per cent between the start and end of 2008, primarily due to a number of successful voluntary return operations. Local integration and resettlement in a third country also offered many African refugees a durable solution. Nevertheless, nearly 98 per cent of refugees in Africa have been in exile for more than five years,[2] trapped in protracted situations.

3. With respect to internal displacement, at the end of 2008,[3] an estimated 11.6 million people were displaced by conflict in Africa, including some 2 million newly displaced during the year. This represents almost half of the world's conflict-generated internally displaced persons (IDPs). In addition, many millions of people were displaced by natural disasters.

4. The year 2008 marked the tenth anniversary of the publication of the Guiding Principles on Internal Displacement. The Guiding Principles have become a key reference for the development of normative frameworks for the protection of IDPs in domestic legislation and policy, notably in Africa, where most progress has been made. African States have also made a groundbreaking step in terms of the development of regional standards, with the formulation of the African Union Convention on the Protection of and Assistance to Internally Displaced Persons in Africa. The Convention will be up for adoption by Heads of State and Government during the African Union special summit on refugees, returnees and internally displaced persons in October 2009.

5. Fighting and insecurity restricted humanitarian access in many parts of Africa and hindered the delivery of protection and assistance. Despite mitigation measures, security risks persisted, with beneficiaries and United Nations staff members and partners being injured, abducted or killed. Not only was the direct delivery of aid impossible in certain areas, but reduced access also presented serious challenges to

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[1] In the present report, Africa refers to sub-Saharan Africa.

[2] According to the Office of the United Nations High Commissioner for Refugees, the definition of a protracted refugee situation is a group of 25,000 or more refugees who have been living in exile in a developing country for over five years. Some 70 per cent of refugees living in sub-Saharan Africa meet this definition. However, taking into consideration only the time aspect of the definition (i.e., five years or more), leaving aside the criteria of location, and reducing the minimum size of the group to 1,000 people, almost 98 per cent of the refugees in Africa today are in a protracted situation.

[3] Statistics on refugees, asylum-seekers and returnees usually refer to numbers compiled by UNHCR at 1 January 2009, unless specified otherwise. Statistics on internally displaced people are estimates provided by the Internal Displacement Monitoring Centre's *Global Overview of Trends and Developments in 2008*, as well as estimates collated by the Office for the Coordination of Humanitarian Affairs. Statistics are provisional and can be subject to change.

the negotiation of the modalities of delivering aid in others. Reduced access also meant limited presence by the international community in regions where human rights violations were committed, hampering efforts to achieve protection by presence.

6. African countries obtained the bulk of international funding for humanitarian emergencies and operations. Between January 2008 and the end of May 2009, just over $6.6 billion was received for humanitarian activities in Africa, in response to 26 inter-agency appeals of the United Nations and partners from non-governmental organizations (NGOs). The majority of those appeals were for activities benefiting the displaced.[4] The Central Emergency Response Fund helped bring about a more predictable response to emergencies, including grants for emergencies in 37 African countries, totalling $351 million. This accounted for 57 per cent of global disbursements of the Central Emergency Response Fund. Rapid response grants, including for projects in response to the food crisis, totalled $214 million. Underfunded emergencies received $138 million. The largest recipient operations were the Democratic Republic of the Congo (15.4 per cent), Ethiopia (11.7 per cent), Kenya (10 per cent), the Sudan (9.4 per cent) and Zimbabwe (8.4 per cent).

II. Regional overviews

A. East Africa and the Horn of Africa

7. Recurrent droughts, floods, conflict, insecurity and violence, as well as soaring food prices were the main challenges in the region. While tens of thousands of people returned home, mostly to poor areas without infrastructure, many more were newly displaced.

The Sudan

8. The Sudan is the focus of the largest humanitarian operation in Africa, benefiting refugees and asylum-seekers from Eritrea, Ethiopia and Somalia in the east and in Khartoum; returning IDPs and refugees, as well as newly displaced people in the south; and nearly 2.7 million IDPs, together with refugees from Chad and the Central African Republic, in Darfur. With 419,000 nationals living as refugees or asylum-seekers elsewhere, the Sudan is also the second largest refugee-producing country of the continent. It is estimated that a total of 4.9 million Sudanese are internally displaced.

9. In Darfur, the already difficult humanitarian situation was exacerbated by the expulsion of 13 international NGOs and the suspension of three national NGOs by the Sudanese Government. Violence directed at humanitarian workers and assets continued, restricting humanitarian access. The absence of a political agreement between the Government and the different rebel movements undermined the ability of the joint United Nations-African Union Mission to provide security to affected populations. In addition, bureaucratic obstacles and restrictions on humanitarian movements, despite renewed commitment to the joint communiqué on the facilitation of humanitarian assistance in Darfur, limited the delivery of relief and recovery assistance.

[4] Displaced people include IDPs, refugees and asylum-seekers.

10. In 2008, the Office of the United Nations High Commissioner for Refugees (UNHCR) helped nearly 68,000 refugees and some 5,000 IDPs to return to their homes in Southern Sudan. Many more were displaced, however, as a result of attacks by the Ugandan Lord's Resistance Army (LRA) and intercommunal fighting. The ongoing violence led to insecure passages and reduced agricultural activity. Addressing the lack of security, establishing rule of law and local governance, and facilitating reconciliation and local integration are essential for the creation of a supportive environment for returnees and residents alike.

11. Eastern Sudan is home to the oldest protracted refugee situation in Africa, dating back some 40 years. In 2008, nearly 20,000 new asylum-seekers from Eritrea, Ethiopia and Somalia were registered in the Shagarab refugee status determination centre. With sustained attention from UNHCR, water, sanitation and health services in the 12 active camps in the east have been improved to accommodate the new arrivals.

Somalia

12. Somalia is the largest refugee-producing country in Africa, with 561,000 refugees and asylum-seekers abroad. The number of IDPs remained largely unchanged in 2008, at approximately 1.3 million people. These statistics, however, conceal the fact that many people have been displaced several times. While tens of thousands of IDPs returned home in the first four months of 2009, recent fighting in Mogadishu has more than reversed those returns. The main cause of displacement has been the insecurity resulting from the ongoing conflict, a dearth of livelihood opportunities, drought and insufficient humanitarian assistance. According to estimates of the World Health Organization (WHO), the number of people in need of aid increased by 77 per cent during 2008.

13. Violence and insecurity reduced the presence of humanitarian organizations on the ground, forcing them to scale down their operations. Over 1,800 security incidents directed at humanitarian workers and assets were reported in 2008; 34 aid workers were killed and 32 were abducted. At the time of writing, 16 humanitarian staff remained in captivity, their whereabouts unknown. In May 2009, militias raided the United Nations Children's Fund (UNICEF) compound in Jowhar, destroying vaccines and therapeutic food supplies to prevent and treat acute malnutrition. As a result, 135,000 malnourished children will not receive the medication and therapeutic food they need. Some 840,000 women and more than 1.2 million children under the age of five will not benefit from immunization.

14. As more than 90 per cent of all World Food Programme (WFP) food for Somalia is delivered by sea, naval escorts for ships carrying food and other humanitarian supplies remained crucial to withstand the threat of piracy. While 2008 saw a new record in the number of piracy incidents, none of the ships carrying WFP food was affected thanks to naval escorts.

15. Although delivering aid in Somalia is difficult, the needs are enormous and the mobilization of resources is vital. The consolidated appeal for Somalia, which seeks $983 million, was only 35 per cent funded at the end of the reporting period, with a significant funding imbalance between food (42 per cent funded) and the non-food sectors (26 per cent funded). Several sectors remain extremely poorly funded, including education (7 per cent) and health (2 per cent). At the time of writing, the shelter and security sectors had not received any funding.

Ethiopia

16. Nearly 17,000 newly arrived refugees, mostly from Eritrea and Somalia, were registered, while some 10,000 Sudanese refugees repatriated during 2008. A multi-year, inter-agency initiative to rehabilitate the environment in the former refugee-hosting areas was launched in western Ethiopia.

17. An estimated 200,000 to 300,000 people are internally displaced in Ethiopia. Reliable data based on profiling and assessments are not available, as access to the areas concerned is restricted. The lack of such information has also made it difficult to devise long-term solutions for this population.

18. The termination of the mandate of the United Nations Mission in Ethiopia and Eritrea and the Independent Boundary Commission, charged with the demarcation of the disputed border, led to renewed tension in the northern region. There is also concern about the potential implications of the new Ethiopian law on the registration and regulation of charities and societies, adopted in January 2009. The law, which will become operational in 2010, bars international organizations from working on issues such as human rights and peace and reconciliation, which are essential to address the root causes of conflict-related displacement in the country.

Kenya

19. The post-election violence that broke out in December 2007 caused extensive internal displacement in Kenya. While by the end of 2008 some 346,000 people had returned home, an estimated 404,000 were still displaced. The Inter-Agency Standing Committee adopted the cluster approach in Kenya to help ensure a well-coordinated humanitarian response.

20. Despite the closure of the border between Somalia and Kenya, some 62,000 Somali asylum-seekers made their way across the border in 2008, bringing the total number of Somali refugees in Kenya to 260,000. The movement continued in 2009 and, as a result, the Dadaab camps have become seriously overcrowded, straining infrastructure and basic services and creating tensions among the host community. Plans to set up additional camps to absorb the new arrivals have been delayed, pending the allocation of land for this purpose by the Kenyan authorities. The expansion of the camps must proceed in tandem with the development of additional projects, including livelihood and environmental rehabilitation, in order to improve the living conditions for the refugees and the host communities. The strategy also includes the voluntary relocation of part of the refugee population from Dadaab to Kakuma.

Uganda

21. The majority of the nearly 2 million internally displaced people in northern Uganda have left the IDP camps in which they lived. Sixty-five per cent returned to their villages of origin and 15 per cent are living in transit centres. The rest of the IDPs who remain in the camps — still a substantial number — are extremely vulnerable and need continued humanitarian assistance. Following a visit to the region, the Representative of the Secretary-General on the human rights of internally displaced persons has made it clear that IDPs should have a free choice as to return, local integration or settlement elsewhere. He also continues to highlight that concerted efforts are required to help the most vulnerable reintegrate into their

communities of origin. The lack of water, food, functional health centres and schools in return areas, as well as disputes over land and property, hamper the sustainable return of IDPs. In several returnee areas, UNDP has supported receiving communities under its early-recovery programme, which included local governance, community security and rule of law projects.

22. Between December 2008 and March 2009, the Government of Uganda launched an operation against LRA. While some of the group's infrastructure was damaged, LRA continued activities in an expanded area. This displaced an estimated 255,000 people, including 45,000 refugees from the Democratic Republic of the Congo.

B. Central Africa and the Great Lakes region

23. The political situation remained essentially stable in most countries in the subregion, despite some instances of rioting over price hikes in food and fuel in Cameroon, the Republic of the Congo, Gabon, Rwanda and the United Republic of Tanzania. However, the Central Africa Republic, Chad and the Democratic Republic of the Congo continued to experience turmoil.

Chad

24. Chad is host to some 325,000 refugees, including 12,000 new arrivals from Darfur in the east of the country and some 10,000 more from the Central African Republic in the south of the country, during 2008. The number of IDPs in eastern Chad stood at 166,000. Eastern Chad has a resource-scarce environment. As a result, most refugees and IDPs were entirely dependent on international aid, while host communities also needed support. The security situation remained volatile. The Representative of the Secretary-General on the human rights of internally displaced persons voiced his concern about the grave human rights violations committed against displaced people, including forced recruitment of children by armed groups and sexual and gender-based violence. Armed groups compromised the civilian character of the refugee and IDP camps, while violence and insecurity hampered aid operations and led to the temporary evacuation of humanitarian staff.

25. A European peacekeeping force, the European Union Force Chad/Central African Republic (EUFOR Chad/CAR), began arriving in the region in January 2008. In March, the United Nations Mission in the Central African Republic and Chad (MINURCAT) took over from EUFOR. While its deployment stands currently at only 50 per cent, it is expected that the MINURCAT military forces and the United Nations-trained Chadian Police may nevertheless be able to increase protection for humanitarian convoys, refugees, IDPs and aid workers.

26. During the reporting period, more than 20,000 IDPs have returned to their places of origin in eastern Chad, in spite of the precarious security situation and lack of basic services. It is crucial to strengthen early recovery efforts, including access to justice, livelihoods and basic social services, as well as to increase State presence to make these returns sustainable.

Central African Republic

27. The Government signed peace accords with several rebel groups, ushering in a period of hope. But peace has proven to be unsteady. In spite of returns, more than 122,000 people remained internally displaced. United Nations organizations were gravely concerned about the precarious conditions in which displaced people lived, as well as about the violent acts committed against them with seemingly complete impunity. The absence of a legislative framework was an important obstacle to efforts to address displacement-related problems. An increase in humanitarian actors in conflict areas reduced armed reprisals against the civilian population. The first half of 2009, however, saw a marked deterioration in the security situation in the country, causing people to flee to neighbouring Cameroon, Chad and the Sudan.

Democratic Republic of the Congo

28. Conflict in the Kivu Provinces and incursions by LRA into the north-eastern part of the Democratic Republic of the Congo have caused massive population displacement. Targeted attacks against civilians and the high prevalence of sexual violence, recruitment of child soldiers and summary executions by armed groups have caused a significant deterioration in the humanitarian situation. Since August 2008, an escalation in fighting in North Kivu followed by joint Congolese-Rwandan military operations, directly affected more than a quarter of a million people. As of May 2009, an estimated total of 1.64 million people were internally displaced. The humanitarian situation is dire, with IDPs lacking food, potable water, shelter and basic hygiene and health-care services. Humanitarian access is limited due to repeated attacks on convoys, aid workers and infrastructure.

29. Despite these challenges, United Nations organizations endeavoured to deliver assistance and improve protection. The United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) forces were deployed and community watch systems were set up to ensure the civilian character of IDP camps. UNICEF and the United Nations Population Fund (UNFPA) supported programmes to prevent and respond to gender-based violence, offering psychosocial, legal and medical assistance to affected women and girls. In the east, the health cluster mobilized 37 humanitarian organizations to reactivate and re-equip some 1,400 health facilities, with the support of almost 5,000 national health staff and community workers.

30. Elsewhere in the Democratic Republic of the Congo, the situation remained stable. In Equateur, Katanga and the southern part of South Kivu, refugees and IDPs continued to return. Even in these relatively more peaceful and secure provinces, however, access to food, shelter and basic services was limited, hampering the sustainable reintegration of returnees.

United Republic of Tanzania

31. Some 113,700 refugees in the United Republic of Tanzania found a durable solution in 2008: 110,000 repatriated voluntarily, mostly to Burundi and the Democratic Republic of the Congo; more than 3,200 were resettled to third countries; and 490 Somalis were granted Tanzanian citizenship. The Tanzania Comprehensive Solutions Strategy continued to move forward, with the Tanzanian authorities processing the naturalization applications of some 158,200 Burundi refugees from the 1972 influx. Former refugee-hosting communities began to

receive support through the United Nations Delivering as One initiative programme Transition from Humanitarian Assistance to Sustainable Development in North West Tanzania. Two camps were closed and infrastructure handed over for school and health centre use by the local communities. Despite the progress made, more than 320,000 refugees remain in Tanzania. As refugees in camps are not allowed to work, they are almost entirely dependent on humanitarian assistance.

C. Southern Africa

32. In Zimbabwe, election-related violence, continuing political uncertainty, a rapidly deteriorating economic situation, hyperinflation and the near total collapse of basic social services posed enormous challenges for the population and, to an even greater extent, for the large number of displaced people in the country. The formation of an inclusive Government in February 2009 gave rise to cautious optimism. Humanitarian organizations were able to provide limited legal and medical assistance, as well as food and non-food items, to various affected communities. Zimbabwean authorities are planning, together with humanitarian agencies, a pilot needs assessment of the displaced population.

33. Large numbers of Zimbabweans left for South Africa, where many registered as asylum-seekers, allowing them to legalize their stay and seek work. Many more remained undocumented and without legal status. Worldwide, South Africa was the main destination for new asylum-seekers in 2008, registering 207,000 individual claims, more than half of which were made by Zimbabweans. By comparison, the next largest recipient of individual asylum claims was the United States of America, with 49,600.

34. In May 2008, an outburst of xenophobic violence in South Africa killed more than 60 people, including nationals, refugees and asylum-seekers. According to United Nations estimates, over 46,000 refugees and asylum-seekers were displaced and accommodated in more than 80 temporary sites. Most were able to return to their host communities by the end of 2008. Nonetheless, the violence and destruction caused a major setback to the self-reliance efforts of many refugees and asylum-seekers, who lost their livelihoods in the attacks.

D. West Africa

35. Although security remained fragile in Côte d'Ivoire, Guinea and Guinea-Bissau, peace prevailed in most West African countries. Hundreds of thousands of refugees and IDPs have returned to their places of origin. Most of the remaining refugees have been in exile for a protracted period, with the majority living in urban areas. The Economic Community of West African States (ECOWAS) free movement protocols provided a framework for the work and residence rights of refugees. An increased receptivity by some West African countries to local integration and a greater emphasis on livelihood activities helped many refugees find a durable solution. More involvement by development actors is required to help refugees and IDPs settle on a sustainable basis.

36. Successful presidential elections in Sierra Leone were another milestone in the stabilization and recovery of the country, leading UNHCR to invoke the "ceased circumstances" cessation clause for Sierra Leonean refugees at the end of 2008. In

Côte d'Ivoire, there are still more than 621,000 IDPs living in areas where access by humanitarian organizations was hindered often by the lack of security.

III. Humanitarian response and inter-agency cooperation

A. United Nations reform

The cluster approach

37. The cluster approach enables the humanitarian community to respond in a more efficient, predictable and accountable manner to the emergency needs of internally displaced people. Several initiatives during the reporting period have strengthened implementation and coordination through the cluster approach, both before and during emergencies. Progress has included the development of operational guidance, joint needs assessments and contingency planning.

38. The cluster approach is now being implemented in 13 African countries: Burundi, the Central African Republic, Chad, Côte d'Ivoire, the Democratic Republic of the Congo, Ethiopia, Guinea, Kenya, Liberia, Somalia, the Sudan, Uganda and Zimbabwe. The focus and success of the approach depend largely on the nature of the emergency and the political situation in the country. In Kenya, the cluster approach was used successfully to respond to the humanitarian emergency caused by post-election violence in late 2007, and it is being maintained to address continuing humanitarian needs and as a contingency measure. In the Sudan, following the March 2009 expulsion of 13 international and 3 national NGOs, the humanitarian community is seeking through the cluster approach to address gaps in capacity and response caused by the expulsions.

39. Uganda is now in transition and the improving security situation has led to the return of many IDPs, and a shift in focus from humanitarian aid to recovery and development. Cluster leads in Uganda are working with the Government to ensure that activities are sustained by relevant government departments, with international support. Continued donor support and international presence during the transition period is key to ensuring sustainability.

Delivering as One

40. In Africa, the Delivering as One initiative is being tested in four countries: Cape Verde, Mozambique, Rwanda and the United Republic of Tanzania. Together with the Governments concerned, the United Nations country teams are working towards greater coherence, capitalizing on the strengths and comparable advantages of the different organizations involved. In the United Republic of Tanzania, for example, the United Nations Development Assistance Framework 2007-2010 sets out how the 17 United Nations agencies in the country plan to achieve their objectives, in line with the Government's national strategies for growth and poverty reduction. The Framework includes assistance to refugees and host communities, so that they may benefit from United Nations development activities.

Integrated missions

41. In the 26 June 2008 meeting of his Policy Committee, the Secretary-General reaffirmed integration "as the guiding principle for all conflict and post-conflict

situations where the United Nations has a country team and a multidimensional peacekeeping operation or political mission/office". In Africa, efforts to increase integration have been made in Burundi, the Central African Republic, Chad, Côte d'Ivoire, the Democratic Republic of the Congo, Liberia, Somalia, the Sudan and Uganda. Most of these operations are already coordinating their efforts to maximize the impact of the United Nations on the consolidation of peace in these countries.

United Nations peacebuilding architecture

42. In Africa, the Peacebuilding Commission has four countries on its agenda: Burundi, the Central African Republic, Guinea-Bissau and Sierra Leone. Together with national and international actors the Commission has assisted these countries to develop peacebuilding strategies. Additional funding has been sought through the Peacebuilding Fund to provide critical support during the early stages of a peace process. Five other African countries — Comoros, Côte d'Ivoire, Guinea, Kenya and Liberia — have also benefited from the Peacebuilding Fund. While it is too early to assess the full impact of the United Nations peacebuilding architecture, preliminary indications suggest that the support provided has contributed positively to peace consolidation.

43. The scale of return and the success of reintegration are two of the most tangible indicators of progress in any peacebuilding process. During the reporting period, land and property disputes, the lack of mechanisms to address them, and the lack of follow-up on the reintegration of ex-combatants, remained particular obstacles to return. Adequately addressing these issues requires close collaboration within the United Nations.

B. Promotion of international protection principles

44. Africa has traditionally been a strong supporter of the international protection of refugees: 43 African States are party to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. Most African States are also party to the Convention of the Organization of African Unity governing the specific aspects of refugee problems in Africa. Nevertheless, a number of countries have made reservations to the 1951 Convention, in particular to provisions related to freedom of movement and access to education and employment. Encampment policies in many countries have resulted in refugees becoming totally dependent on humanitarian assistance. The forced return of refugees by a few countries also gave reason for concern during the reporting period.

Strengthening of national refugee protection

45. UNHCR assisted States to meet their international obligations to protect refugees, in particular by increasing Governments' capacity to conduct refugee status determination and registration. The organization's standard registration software is now being used in 32 countries. Government officials all over the continent continued to receive training on how to conduct refugee status determination and other aspects of protection. For example, more than 100 people were trained in South Africa to enable the registration of many asylum-seekers who arrived there during the reporting period. Significant progress towards strengthening the national protection framework was achieved in Gambia, Kenya and Liberia. In

Burundi, a new asylum law entered into force and the country's first asylum office was created.

Mixed migration

46. Mixed migration movements in Africa do not only involve mixed migration flows out of Africa, such as the dangerous movements of people across the Gulf of Aden or the Mediterranean. They also include movements within the continent, including people moving from Central and West Africa to North Africa, and from the Horn of Africa, the Great Lakes region and Zimbabwe to South Africa.

47. Growing numbers of young people, notably Eritrean, Ethiopian and Somali men, are moving onwards from their first country of asylum. Their motivations may include family reunification, education and access to economic opportunities. The scarcity of economic opportunities in many countries hosting refugees and IDPs is a significant impetus to onward movement.

48. Together with UNHCR, the Mixed Migration Task Force for Somalia, which also includes the International Organization for Migration (IOM), the Office for the Coordination of Humanitarian Affairs, the Office of the United Nations High Commissioner for Human Rights (OHCHR), UNICEF and the Danish and Norwegian Refugee Councils, organized a regional conference in Yemen. The conference, which also included participation of Governments from the region, the African Union, and representatives of civil society, helped identify current problems and possible responses to help better protect people in mixed migratory movements.

49. In a similar initiative to strengthen responses to the challenges posed by mixed migration flows in West Africa, UNHCR, IOM, ECOWAS and OHCHR, together with the Government of Senegal, convened a regional conference on refugee protection and international migration in Dakar. The three strategic protection objectives emphasized at the conference were: (a) implementing the ECOWAS free movement protocols, including the promotion of the local integration of residual refugee populations from West Africa; (b) enhancing government capacities to identify and protect refugees in mixed flows through fair and efficient asylum procedures; and (c) improving regional responses to human trafficking.

Promotion of the human rights of IDPs and operational responses

50. In October 2008, a ministerial conference was organized in Oslo, to commemorate the tenth anniversary of the Guiding Principles on Internal Displacement. Participants emphasized that renewed political and financial commitment is required to ensure the full protection of IDPs. States were encouraged to develop or strengthen policies, including: (a) measures to prevent displacement; (b) mitigation procedures to be activated once displacement has occurred; and (c) a durable solutions framework. The Great Lakes Protocol on the Protection and Assistance to Internally Displaced Persons, which includes a legal obligation for signatories to incorporate the Guiding Principles into domestic law, was referred to as a regional example. Another protocol that is relevant to the protection of displaced people and their search for durable solutions is the Protocol on the Property Rights of Returning Persons. Both are part of the Pact on Security, Stability and Development in the Great Lakes Region, which entered into force in June 2008.

51. The African Union is expected to adopt a convention on the protection of and assistance to IDPs in Africa, in October 2009. This convention, which would be the first of its kind worldwide, would be legally binding. Regional initiatives like these are expected to facilitate the adoption of national laws and policies benefiting IDPs.

52. The Representative of the Secretary-General on the human rights of internally displaced persons provided technical support to several African countries that are in the process of developing national legislation or policies on IDPs. Together with a group of international legal experts, the Representative prepared *Protecting Internally Displaced Persons: A Manual for Law and Policymakers*.[5] This manual gives practical guidance on how to develop national law and policies based on the Guiding Principles on Internal Displacement.

53. During the reporting period, the inter-agency Protection Standby Capacity Project (ProCap), coordinated by the Office for the Coordination of Humanitarian Affairs, deployed 11 additional senior protection officers in Africa to various United Nations agencies, mainly in conflict-related IDP situations. They provided expertise in the planning, coordination and implementation of the protection response in Burundi, Chad, the Central African Republic, the Democratic Republic of the Congo, Kenya and Zimbabwe. At the regional level, ProCap also assisted a workshop on the implementation of the Protocol on Protection and Assistance to internally displaced persons in the Great Lakes Region.

Statelessness

54. Statelessness undermines human security and can be a cause of displacement. Relatively few States on the continent are part of the two relevant United Nations treaties: 11 African States are party to the 1954 Convention relating to the Status of Stateless Persons and seven to the 1961 Convention on the Reduction of Statelessness. The African Charter on the Rights and Welfare of the Child, which has been ratified by the majority of countries, contains safeguards to prevent statelessness at birth. Nonetheless, a number of States have yet to take steps to implement these treaties.

55. Pursuant to its mandate to prevent and reduce statelessness and to protect stateless people, UNHCR continued to identify stateless populations, as well as populations at risk of becoming stateless in Africa. Together with partners, UNHCR carried out a survey to identify the people who lack identity documents in Côte d'Ivoire. Efforts were also made to raise awareness of the problem in Kenya.

Registration and documentation

56. Early registration and effective registration mechanisms are key for ensuring displaced people's access to protection and assistance, enabling them to claim and enjoy basic rights.

57. In Côte d'Ivoire, the registration of displaced people remained a priority for accessing protection, assistance and solutions. Registration enabled some 6,000 people to be documented, even while the lack of registrations at birth remains a big challenge. In eastern Sudan, a verification/registration exercise was completed

[5] Published by the Brookings-Bern Project on Internal Displacement, Brookings Institution (October 2008).

in 12 refugee camps, as part of the search for durable solutions to this protracted situation.

58. Children who are not registered at birth are at increased risk of being excluded from legal and social services and even of becoming stateless. Forced displacement compounds the vulnerability of these children. In 2006, an estimated 19.5 million children born in Africa had not had their births registered. As a result, UNICEF and partners, including international financial institutions, are working to increase birth registration. In the Sudan, where birth registration is almost non-existent in conflict-affected areas, a pilot birth registration initiative was started in 2008 to tackle the problem. In Togo, an initiative in late 2008 allowed for the regularization of the situation of nearly 1,000 refugee children who had been left out of an earlier census.

Security of people of concern

59. Ensuring the physical safety of people of concern in often highly insecure environments remained a challenge during the reporting period. Two particular protection problems faced by displaced people in Africa were rape and sexual violence against women and girls, as well as the forced recruitment of children into armed forces or groups. Ongoing violence forced many people to flee for a second or even third time, notably in eastern Chad, the Central African Republic, the Democratic Republic of the Congo, Ethiopia, Somalia and the Sudan. Unexploded ordnance and other lethal remnants of war continued to kill and maim adults and children, even years after conflicts ended.

60. The Security Council has sought to improve the protection of refugees and IDPs by mandating peacekeeping missions to protect camps and sites from armed attacks and to maintain their civilian character. International and regional peacekeepers were deployed by the Security Council in six countries: the Central African Republic, Chad, Côte d'Ivoire, the Democratic Republic of the Congo, Liberia and the Sudan. While not all these operations had a specific mandate to protect displaced people, they were involved in efforts to restore security, which also benefited displaced people and returnees.

Prevention of and response to sexual and gender-based violence

61. Sexual and gender-based violence is one of the defining characteristics of contemporary armed conflict. Hundreds of thousands of women and girls have been subjected to this particular form of violence, which is often aimed at destroying the social fabric of a community. According to a recent study of the Office for the Coordination of Humanitarian Affairs, in the Central African Republic 15 per cent of the women and girls living in the crisis zones have been subjected to sexual violence, with new cases of rape being reported each week. In Burundi, WHO has reported that 9 per cent of returnee women who responded to a survey on sexual violence had been sexually abused. This type of violence is often higher in refugee and IDP camps. UNHCR and many other United Nations agencies working in Africa have taken steps to prevent and counter sexual and gender-based violence, including by setting up referral systems to ensure an adequate response to help survivors.

62. In the Democratic Republic of the Congo, UNFPA, UNICEF, UNHCR and OHCHR supported a comprehensive programme to provide victims with medical and psychosocial assistance. The programme also seeks to end the impunity of perpetrators by strengthening prosecutions and the rule of law. UNFPA distributed

life-saving post-rape treatment kits in Cameroon, the Central African Republic, the Democratic Republic of the Congo, Liberia and the Sudan. In Somalia, UNICEF has helped set up a confidential caseworker referral system for women and children.

63. In several countries, the United Nations sought to engage men and boys in the struggle against sexual and gender-based violence. Special workshops, training and awareness campaigns were organized to emphasize the positive role men and boys could play in preventing and countering sexual and gender-based violence.

Protection of women and children

64. The protection of women and girls needs to be directly linked to the reinforcement of their capacity to enjoy their rights both as individuals and as part of a community. Displaced people, in particular women and girls, frequently find themselves without the most basic items to meet their personal hygiene needs. This affects not only their well-being, but also impedes their access to social services, such as education and food distribution. In Uganda, the Maka Pads project was developed to produce sanitary napkins using natural local materials. The project not only meets the needs of many refugee women in Uganda, but also provides an employment opportunity for them.

65. In the Dadaab refugee camps in Kenya, UNHCR and the International Olympic Committee launched a project to raise awareness of female genital mutilation. An estimated 97 per cent of the refugee girls below the age of eight in the camps have been subjected to this practice. The project aimed at improving the community's understanding of the harmful consequences of female genital mutilation by sensitizing teachers, coaches and girls through sports. It also included outreach activates in primary schools and collaboration with local radio stations.

C. Delivery of assistance and special needs

Food

66. The global food crisis has affected millions of people in Africa, a situation that is being compounded by the world economic crisis. At a meeting of the United Nations High-Level Task Force on the Global Food Security Crisis in March 2008, WFP agreed to give priority to vulnerable people, including refugees, returnees and IDPs, in its programmes. In Africa in 2008, WFP provided food assistance to 1.6 million refugees (53 per cent of whom were women or girls); 750,000 returnees (63 per cent women or girls) and some 6.1 million IDPs (55 per cent women or girls).

67. Together with other United Nations agencies, WFP carried out assessment missions and nutrition surveys in Burundi, Chad, Ethiopia, Gambia, Kenya, Mozambique, Namibia, Rwanda, Uganda and the United Republic of Tanzania to ensure targeted food assistance.

68. In 2008, UNHCR scaled up efforts to counter malnutrition and micronutrient deficiencies in several protracted refugee situations in Ethiopia, Kenya and eastern Sudan. This included measures to reduce anaemia, particularly for pregnant and breastfeeding women. In Cameroon, therapeutic feeding centres contributed to a significant reduction in malnutrition rates among refugees and host communities. The prevalence of acute malnutrition was also reduced in Chad, Ethiopia, Kenya and

eastern Sudan, although the indicators of malnutrition for these countries are still above the minimum standard of less than 5 per cent of the population in stable operations.

Health and HIV/AIDS

69. Malaria is one of the main causes of illness and death among displaced people in Africa. Refugee camps are especially prone to malaria epidemics when hosting people from non-endemic areas who have no immunity. New funding resources are being used to supply artemisinin-based combination therapy to replace old ineffective drugs, as well as long-lasting insecticide-treated nets, which are now recommended by WHO.

70. According to the Joint United Nations Programme on HIV/AIDS (UNAIDS), there are 22 million people living with HIV in Africa. Through the strengthening of national health capacities, United Nations organizations worked towards making testing and treatment available to refugees, IDPs and host communities. Currently, 16 African countries have included refugees in their national HIV and AIDS programmes. HIV prevention, care and treatment projects ensured that displaced people and returnees could benefit from a range of services, including access to national anti-retroviral drug programmes.

71. Mass displacement exacerbated the risk of other communicable diseases and the overcrowded conditions in some of the camps made people vulnerable to diseases that, without adequate treatment, could be life threatening. In Chad, the Central African Republic, the Democratic Republic of the Congo, Somalia and the Sudanese region of Darfur, WHO and partners worked to reduce morbidity and mortality rates among the displaced populations, through the construction of health clinics, the provision of medicines, training and awareness programmes.

72. In Darfur, WHO continued to support a hospital programme to ensure free secondary health care for conflict-affected people. WHO offered drugs, training, and equipment and covered a percentage of the running costs. In 2008, the programme assisted 16 hospitals, representing 64 per cent of the Ministry of Health's hospitals in Darfur. Some 80 per cent of the displaced or conflict-affected people were in reach of these hospitals.

Education

73. Providing access to basic education is essential, even during an emergency. The Inter-Agency Network for Education in Emergencies, comprising several United Nations and non-governmental organizations, established guidelines and tools to ensure that education is included in emergency response. Education provides children with a routine and a purpose, both of which help them deal with the trauma of displacement. Moreover, safe school environments reduce the risk of children being recruited into armed groups or otherwise exploited.

74. In eastern Chad, 6,000 refugee children have been attending preschool classes and some 12,000 IDP children have been enrolled. UNICEF assisted some 76,000 refugee and IDP children at the pre- and primary school ages, using learning materials and activities. Girls' attendance in primary schools increased significantly during the reporting period, reaching nearly 50 per cent of enrolled pupils. In

Mogadishu, UNICEF set up almost 500 tented classrooms, benefiting some 35,000 schoolchildren, many of whom had been displaced by conflict or flooding.

75. While the main focus has been on providing access to primary, and to a much lesser extent secondary, education, the Albert Einstein German Academic Refugee Initiative Fund offers scholarships to refugees to study at the tertiary level in their host countries. In 2008, the number of African refugees benefiting from the Fund scholarships increased by 52 per cent compared to the year before, benefiting over 1,000 refugee students. Additional efforts are required to increase the number of girls taking part in this programme.

Livelihood opportunities

76. Creating livelihood opportunities is crucial to reducing displaced people's dependency on humanitarian aid, and to maintain their sense of dignity and purpose. In 2008, UNHCR and its partners made special efforts to increase livelihood opportunities for refugees in protracted situations in both rural and urban settings, for whom no immediate durable solution was in sight. Comprehensive livelihood strategies for self-reliance, based on needs assessments, were developed in Kenya, eastern Sudan and Zimbabwe. Efforts to increase livelihood opportunities for displaced people included facilitating access to loan and savings mechanisms, grant assistance during emergencies, training and education, and employment support services.

D. Ending forced displacement

77. Securing sustainable solutions for refugees and IDPs is vital to long-term recovery and stability in the region. The number of refugees and IDPs declined in Africa largely as a result of the consolidation of peace and stability in areas of origin, allowing returns to take place. The generosity of States in offering local integration and resettlement also played an important role.

78. In 2008, some 288,000 refugees returned home, mostly in the Great Lakes and Central Africa regions. Reliable data on the number of IDPs who found a durable solution is not available. Many people returned to areas devastated by decades of conflict and neglect, or to places where there is nothing to rehabilitate and where building needs to start from scratch. In some areas, the lack of social services, in particular schools and health centres, was an impediment for people to return or to sustain returns.

79. With the end of massive repatriation and large-scale resettlement in West Africa, the search for other durable solutions for refugees intensified. Necessarily these focused on local integration, emphasizing utilization of the regional free movement protocols.

E. Partnerships with non-United Nations entities

80. Partnerships with national and international NGOs, as well as regional organizations, have been crucial for the United Nations to respond more coherently and effectively to the many challenges of the period under review. This has been

especially true in responding to situations of new internal displacement, the protection of people in mixed migratory movements and post-conflict recovery.

81. Active engagement with regional and subregional organizations has helped achieve results in the areas of policy development, the reinforcement of local and national capacities, and durable solutions. Cooperation with the African Union focused on the development of the Convention on the Protection of and Assistance to Internally Displaced Persons in Africa, as well as on the preparations of the African Union Special Summit. To help ensure that refugees are as entitled as other citizens in their communities, ECOWAS member States adopted a memorandum on the equality of treatment of refugees and other ECOWAS citizens.

IV. Conclusion

82. While consolidation of peace processes across the continent allowed many refugees and IDPs to find a durable solution, a number of obstacles still need to be overcome to make these solutions truly sustainable. The lack of basic services, in particular education and health, as well as livelihood opportunities in return areas, may deter refugees and IDPs from going back home. The pressure that returns often place on scarce resources, combined with land and property restitution problems, have the ability to derail fragile peace processes.

83. Governments, national and international humanitarian and development organizations and civil society need collectively to promote environments capable of sustaining return or integration. Special attention has to be paid to access, without discrimination, to basic public services, legal and personal documentation, and livelihood opportunities. Mechanisms to deal with land and property restitution also need to be put in place, as without them disputes over these issues will represent a major stumbling block to the reintegration of returnees and the recovery of post-conflict areas. The needs of host populations should also be taken into account when devising a return programme. The recently established peacebuilding architecture has contributed positively to peace consolidation, and similar efforts should be explored in other situations.

V. Recommendations

84. **In line with international and regional instruments, States should respect the principle of the non-refoulement of refugees and ensure the proper reception and timely registration of refugees.**

85. **Given that two out of three refugees depend on international aid, host countries must be encouraged, and supported in their efforts, to create environments that enable refugees to become self-reliant. This may include the withdrawal of reservations on refugee rights set out in the 1951 Convention and 1967 Protocol.**

86. **African States have led the world in developing a binding regional convention for the protection of internally displaced people. United Nations organizations must continue to support these efforts.**

87. The lack of recovery programmes when humanitarian assistance is being phased out puts the sustainability of durable solutions at risk. Humanitarian and development organizations and institutions need to better synchronize their activities to avoid a transition gap. Likewise, donor States should consider investing more in early recovery efforts.

88. States that have not yet done so should consider acceding to the Convention relating to the Status of Stateless Persons and to the Convention on the Reduction of Statelessness. States should also be encouraged to work with UNHCR and other organizations, as appropriate, to identify stateless populations on their territory and to review domestic legislation, with a view to eliminating gaps that can give rise to or perpetuate statelessness.

89. State and non-State parties to conflict and international and regional mediators should work towards addressing the root causes of all forms of displacement in Africa in a resolute manner, with greater attention to the links between the prevention of displacement, durable solutions and sustainable peace processes. Refugees and IDPs should be integrated in post-conflict transition schemes, development plans and poverty reduction strategies.

90. State and non-State parties to conflict should facilitate access by humanitarian organizations to affected civilian populations and ensure the security of humanitarian workers, so that protection and assistance can be provided safely, even during ongoing hostilities. Humanitarian organizations should tailor their security arrangements to address the different patterns of violence affecting staff, facilities and assets.

91. All African States are encouraged to ratify and enforce the Convention on the Safety of United Nations and Associated Personnel.